

HOUSE BILL 1330

D4, E4, O4

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CF SB 892

By: **Delegates Conway, Bates, Cane, G. Clagett, DeBoy, Elmore, Mathias, Proctor, Robinson, Rudolph, Sophocleus, and Wood**
Introduced and read first time: February 18, 2010
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Abuse and Neglect – Reports and Records – Disclosure to Division of**
3 **Parole and Probation**

4 FOR the purpose of requiring the disclosure of a report or record of child abuse or
5 neglect to the Division of Parole and Probation in the Department of Public
6 Safety and Correctional Services if the local department of social services has
7 reason to believe or learns that an individual who is living in or has a regular
8 presence in a child's home is under the supervision of the Division of Parole and
9 Probation; and generally relating to disclosure of reports and records of child
10 abuse and neglect.

11 BY repealing and reenacting, with amendments,
12 Article – Human Services
13 Section 1–202(b)
14 Annotated Code of Maryland
15 (2007 Volume and 2009 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Human Services**

19 1–202.

20 (b) A report or record concerning child abuse or neglect shall be disclosed:

21 (1) under a court order;

22 (2) under an order of an administrative law judge, if:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (i) the request for disclosure concerns a case pending before the
2 Office of Administrative Hearings; and

3 (ii) provisions are made to comply with other State or federal
4 confidentiality laws and to protect the identity of the reporter or other person whose
5 life or safety is likely to be endangered by the disclosure; [or]

6 (3) on a written request, to the Baltimore City Health Department:

7 (i) if the Baltimore City Health Department is providing
8 treatment or care to a child who is the subject of a report of child abuse or neglect, for
9 a purpose relevant to the provision of the treatment or care;

10 (ii) if the record or report concerns a child convicted of a crime
11 or adjudicated delinquent for an act that caused a death or near fatality; or

12 (iii) if the record or report concerns a victim of a crime of
13 violence, as defined in § 14–101 of the Criminal Law Article, who is a child residing in
14 Baltimore City, for the purpose of developing appropriate programs and policies aimed
15 at reducing violence against children in Baltimore City; OR

16 **(4) TO THE DIVISION OF PAROLE AND PROBATION IN THE**
17 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES IF, AS A**
18 **RESULT OF A REPORT OR INVESTIGATION OF SUSPECTED CHILD ABUSE OR**
19 **NEGLECT, THE LOCAL DEPARTMENT OF SOCIAL SERVICES HAS REASON TO**
20 **BELIEVE OR LEARNS THAT AN INDIVIDUAL WHO LIVES IN OR HAS A REGULAR**
21 **PRESENCE IN A CHILD’S HOME IS UNDER THE SUPERVISION OF THE DIVISION OF**
22 **PAROLE AND PROBATION.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2010.